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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In the Matter of the Arbitration Between:

ELENA HENRY,

Claimant/Petitioner,

v.

BERTHEL FISHER & COMPANY
FINANCIAL SERVICES, INC.,

Respondent.

11 CV 3069

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORDER TO SHOW CAUSE FOR ATTACHMENT IN AID OF ARBITRATION

On reading and filing the annexed declaration of Robert V. Cornish, Jr., the Petition for an Order of Attachment in Aid of Arbitration and exhibits thereto, and the Memorandum of Law in support, it is

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ORDERED that Berthel Fisher & Co., Inc. ("BFC") or its attorneys, show cause before the Honorable Louis Stanton United States District Judge, at the Daniel Moynihan United States Courthouse, 500 Pearl Street, Courtroom 21-C New York, New York 10007, on the 19th day of May, 2011, at 3 o'clock P.M. of that day, or as soon thereafter as counsel can be heard, why Petitioner's Petition for an Order of Attachment should not be issued pursuant to §7502(c) of the CPLR against the assets of BFC, and any interest of BFC in personal property or any debt owed to BFC, situated in the State of New York.

IT IS FURTHER ORDERED, that any opposition papers to this Order to Show Cause shall be served so as to be received by Petitioner's counsel and this Court no later than the close of

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business on May 17, 2011; and

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IT IS FURTHER ORDERED, that service by Overnight Courier upon BFC and BFC's counsel in the underlying arbitration proceeding, Anthony Ostlund Baer & Louwagie P.A., of a copy of a copy of this Order to Show Cause and the papers upon which it is based on or by May 5, 2011 be deemed good and sufficient notice of this application.

DATE: May 5, 2011
3:04 PM

Louis L. Stanton
United States District Judge

To: Berthel Fisher & Company Financial Services, Inc.
701 Tama Street, Bulding B
Marion, IA 52302
Attn: Thomas J. Berthel

Anthony Ostlund Baer & Louwagie, P.A.
90 South Seventh Street, #3600
Minneapolis, MN 55402
Attn: Vincent Louwagie, Esq.